

REMARKS

Summary of Office Action

Claims 1-37 are pending in the above-identified application.

Claims 1-4, 15-22, and 33-37 are finally rejected under 35 U.S.C. § 102(e) as being anticipated by Matthews, III et al. U.S. Publication No. 2004/0139465 ("Matthews").

Claims 1-37 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Herz et al. U.S. Patent No. 5,758,257 ("Herz") in view of Matthews.

Summary of Applicants' Reply

Although applicants continue to believe that claims 1-37 are patentable as they were pending prior to the December 28, 2007 Office Action, in order to advance prosecution, applicants have amended claims 1, 5-6, 9-15, 17, and 19. The amendments to claims 1, 5-6, 9-15, 17, and 19 more particularly define the claimed invention. No new matter has been added by the amendments and the amendments are fully supported by the specification, for example at page 41, line 35 through page 42, line 9. Additional support for the amendments may be found elsewhere in the specification.

In independent claims 1 and 19, the feature of the "first user selection comprising navigating a highlight to the television program title without displaying data related to the television program" has been removed. Applicants hereby reclaim any subject matter previously disclaimed by the now canceled claim feature.

Applicant has added new claims 38 and 39.

The Examiner's rejections are respectfully traversed.

Applicants' Reply to the
35 U.S.C. § 102(e) Rejections

Claims 1-4, 15-22, and 33-37 are rejected under 35 U.S.C. § 102(e) as being anticipated by Matthews. These rejections are respectfully traversed.

Amended independent claims 1 and 19 are directed to a system and method for managing and displaying information in an interactive television system. A first user selection of a television program title and a second user selection requesting to display data available on a public network are received. The data, which is related to the single, selected television program and includes at least one item available for purchase, is identified on the public network. The identified data, including "a selectable option for purchasing the at least one item available for purchase", is then displayed.

Matthews is directed to an electronic programming guide (EPG) which visually correlates program titles to scheduled viewing times. A hyperlink browser resides in the memory and one or more hyperlinks, which reference target resources containing interactive content related to the video programs, are integrated as part of the EPG user interface (Matthews, abstract).

Contrary to the Examiner's contention, Matthews fails to disclose all of the features of applicants' claimed invention. In particular, Matthews fails to show or suggest applicants' claimed feature of identifying "data available on a public network that is related to the single, selected television program title, the identified data comprising at least one item available for purchase" and displaying the data that "comprises a selectable option

for purchasing the at least one item available for purchase" (claims 1 and 19). Applicants' invention advantageously allows a user of an interactive program guide to "buy a wide variety of different services or goods directly or indirectly linked to a particular program (applicants' specification, page 38, lines 35-39).

For at least the foregoing reasons, independent claims 1 and 19 are allowable over Matthews. Claims 2-4, 15-18, 20-22, and 33-37, which depend from independent claims 1 and 19, are also allowable over Matthews for at least the reasons that independent claims 1 and 19 are allowable over Matthews. Accordingly, applicants respectfully request that the rejection of claims 1-4, 15-22, and 33-37 under 35 U.S.C. § 102(e) be withdrawn.

Applicants' Reply to the
35 U.S.C. § 103(a) Rejections

Claims 1-37 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Herz in view of Matthews. These rejections are respectfully traversed.

As shown above in connection with claims 1 and 19, Matthews fails to show or suggest identifying "data available on a public network that is related to the single, selected television program title, the identified data comprising at least one item available for purchase" and displaying the data that "comprises a selectable option for purchasing the at least one item available for purchase" (claims 1 and 19).

Herz is directed to a system and method for developing user profiles that describe how important certain characteristics of a television program are to a user (Herz, column 4, lines 59-64). The profile is

compared to the actual profiles of available television programs in order to create an "agreement matrix" that characterizes the attractiveness of each television program to the user (Herz, column 5, lines 1-5). The Herz system then creates virtual channels that include programming that will provide the greatest satisfaction to the user based on the agreement matrix (Herz, column 5, lines 6-13). In one embodiment, the Herz system uses movies that were recently rented by a customer to create a profile. The profile is then used to make movie rental recommendations to the customer while in the store (Herz, column 49, lines 32-35 and lines 52-61). Alternatively, a customer can select sample music or book choices to create a profile, and the Herz system then provides recommended music or book selections based on the profile (Herz, column 50, lines 44-54).

Like Matthews, Herz fails to show or suggest applicants' claimed feature of identifying "data available on a public network that is related to the single, selected television program title, the identified data comprising at least one item available for purchase" and displaying the data that "comprises a selectable option for purchasing the at least one item available for purchase" (claims 1 and 19, emphasis added). Instead, Herz shows recommending movies, books, or music to a customer based on a profile that includes information from several previously identified movies, books, or music (Herz, column 49, lines 54-57 and column 50, lines 47-50). The Examiner contends that Herz shows applicants' claimed feature by disclosing "the collected data, i.e. user profile, could be collected by the data collection system 508, 622 on a real time basis" (Office Action, page 8). However, although Herz does show

updating the data collection (i.e. profile) on a real-time basis, the Herz system still determines which video programming is most likely to satisfy a customer based on, among other things, several previously identified movies (Herz, column 42, lines 7-20). Thus, Herz does not show or suggest providing data, much less data that includes "at least one item available for purchase", that is related to a single, selected television program title, as required by applicants' claims 1 and 19.

Furthermore, the Herz system only provides recommendations for the same type of item. For example, the Herz system recommends movies based on movies a user has rented (Herz, column 49, lines 62-61), recommends music based on music selections made by the user, or recommends books based on book selections made by the user (Herz, column 50, lines 44-54). Applicants' claimed invention, as defined further by dependent claims 38 and 39, is directed to a system and method in which the "one item available for purchase is not a television program" (claims 38 and 39). Applicants' claimed invention thus advantageously provides an option to purchase a wide assortment of various items when a television program title is selected.

For at least the foregoing reasons, independent claims 1 and 19 and dependent claims 38 and 39 are allowable over Herz in view of Matthews. In addition, applicants' dependant claims 1-18 and 20-37, which depend from independent claims 1 and 19, are patentable over Herz in view of Matthews for at least the reasons that independent claims 1 and 19 are patentable over Matthews in view of Herz. Accordingly, applicants respectfully request that the 35 U.S.C. 103(a) rejection of claims 1-37 be withdrawn.

Conclusion

In view of the foregoing, applicants respectfully submit that this application, as amended, is in condition for allowance. Reconsideration and prompt allowance are respectfully requested.

Respectfully submitted,



Paul E. Leblond
Registration No. 58,397
Agent for Applicants
Ropes & Gray LLP
Customer No. 75563
1211 Avenue of the Americas
New York, New York 10036
Tel.: (212) 596-9000
Fax: (212) 596-9090